



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2011 Biennium

Bill #	HB0200	Title:	Revise criminal accountability
Primary Sponsor:	Taylor, Janna	Status:	As Introduced

- | | | |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input type="checkbox"/> Needs to be included in HB 2 | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>	<u>FY 2012 Difference</u>	<u>FY 2013 Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$13,125	\$17,500	\$17,500	\$17,500
Net Impact-General Fund Balance	<u>\$13,125</u>	<u>\$17,500</u>	<u>\$17,500</u>	<u>\$17,500</u>

Description of fiscal impact:

The increase in fine revenue would result in a positive impact to the general fund.

FISCAL ANALYSIS

Assumptions:

Department of Justice

1. In the past five years, there has been an average of seven persons convicted for negligent vehicular assault, and four persons convicted for negligent homicide while driving.
2. During that same time period, there has been an average of 350 persons per year charged by the Montana Highway Patrol (MHP) for failing to report or remain at the scene under 61-7-109, MCA.
3. It is assumed that under this proposal, an additional two persons per year will be charged and convicted for new violations under Section 2 (1)(b), and an additional three persons will be charged and convicted under Section 3 (1)(b) of HB 200. Assuming all additional persons charged are convicted and fined an amount of \$2,000 each, an additional \$10,000 in fines per year could be anticipated [5 people * \$2,000 fine = \$10,000].

4. It is assumed that approximately 100 more persons per year could be charged with violations under Section 4 of HB 200. Assuming all additional persons charged are convicted and fined an amount of \$250 each, an additional \$25,000 per year would be levied [100 persons * \$250 = \$25,000].
5. The additional \$35,000 in fine revenue would be split equally between the state general fund and the general fund of the county in which the conviction occurred. Therefore, the state general fund revenue would increase by \$17,500 per year under this proposal [\$35,000 * 0.5 = \$17,500].
6. It is assumed that the effective date for HB 200 is October 1, 2009. Therefore, the additional revenue in FY 2010 would represent 75% of the annual increase [\$17,500 * 0.75 = \$13,125].
7. Increases in MHP jail per diem are anticipated to be negligible under this measure, since persons convicted under Section 4 of HB 200 would likely not be jailed, while persons convicted of violations under Section 2 and Section 3 of HB 200 would be most likely be remanded to the Department of Corrections.

	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>	<u>FY 2012 Difference</u>	<u>FY 2013 Difference</u>
<u>Fiscal Impact:</u>				
<u>Expenditures:</u>				
Operating Expenses	\$0	\$0	\$0	\$0
<u>Funding of Expenditures:</u>				
General Fund (01)	\$0	\$0	\$0	\$0
<u>Revenues:</u>				
General Fund (01)	\$13,125	\$17,500	\$17,500	\$17,500
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
General Fund (01)	\$13,125	\$17,500	\$17,500	\$17,500

Effect on County or Other Local Revenues or Expenditures:

1. Counties would receive the same amount of revenue as the state in each year allocated to the county in which each violation occurred.

*Sponsor's Initials*_____
*Date*_____
*Budget Director's Initials*_____
Date